

# Ensuring Safe Property Transactions

## DEED OF SALE PRE-SIGNING CHECKLIST

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### Purpose

This checklist is designed to confirm whether a Deed of Sale is safe to sign before notarization. It is not a guide to completing a transaction but serves as a control document to prevent irreversible mistakes.

### A. Title and Ownership Verification

- The Transfer Certificate of Title (TCT) or Condominium Certificate of Title (CCT) is authentic and updated.
- The seller's name on the title matches exactly with government-issued identification.
- No adverse annotations affecting ownership, use, or transfer remain unresolved.
- Property description in the Deed of Sale matches the title exactly.
- If inherited or co-owned, ownership has been fully settled prior to sale.

### B. Seller Authority Confirmation

- The seller has clear legal authority to sell the property.
- All required signatories are present and correctly identified.
- For corporate sellers, board resolution and secretary's certificate are complete.
- For estate sales, authority from all heirs or a court-appointed administrator is documented.
- Required spousal consent has been secured, where applicable.

### C. Loan and Payment Readiness (If Bank-Financed)

- Buyer's loan has been formally approved.
- Letter of Guarantee (LoG) has been issued by the bank.
- The Deed of Sale structure aligns with bank and Registry of Deeds requirements.
- The Deed of Sale declares full payment for registration purposes.
- No Deed of Sale is being signed in anticipation of future loan approval.

### D. Deed of Sale Risk Controls

- Selling price is consistent across the Deed of Sale, bank documents, and payment records.
- Seller warrants clean title and absence of undisclosed liens or encumbrances.
- Real property taxes and association dues are confirmed current as a condition to signing.
- Possession and turnover terms are clearly stated.
- Consequences for misrepresentation or breach are clearly defined.

## Final Pre-Signing Control

If any item above is not satisfied, do **NOT** proceed to signing or notarization.

Once notarized, a Deed of Sale:

- Triggers tax liabilities
- Shifts leverage
- Limits corrective options

This checklist is a risk control tool. Use it before signing—not after problems appear.

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Prepared for buyer-side due diligence in Philippine property transactions. This is an illustrative checklist only. Clause placement and requirements may vary by transaction.